

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DX/DY VOICE PROCESSING, INC.,
an Arizona corporation,

Plaintiff,

v.

TELIGENCE CORPORATION, a
British Columbia corporation;
TELIGENCE (CANADA) LTD., a
British Columbia corporation;
TELIGENCE (US), INC., a
Nevada corporation; TELIGENCE
HOLDINGS INC., a Nevada
corporation; ROBERT J.
MADIGAN, a citizen of Canada;
JOHN MADIGAN, a citizen of
Canada; FIRST MEDIA GROUP,
INC., a Canadian corporation;
FIRST MEDIA GROUP LLC, a
Delaware corporation; and
JOHN DOES 1-100;

Defendants.

TELIGENCE (CANADA) LTD., a
British Columbia corporation,
and TELIGENCE (US), INC., a
Nevada corporation,

Counterclaim Plaintiffs,

v.

DX/DY VOICE PROCESSING, INC.,
an Arizona corporation, and
JEFFREY SMITH, an individual,

Counterclaim Defendants.

NO. CV-07-0059-EFS

**ORDER GRANTING DEFENDANTS'
MOTION FOR LEAVE TO FILE
DEFENDANTS' STATEMENT IN
COMPLIANCE WITH LR 56.1(c)**

1 Before the Court, without oral argument, is Defendants' Motion for
2 Leave to File Defendants' Statement in Compliance with LR 56.1(c).
3 (Ct. Rec. 222.) On July 17, 2008, Defendants timely filed their Reply
4 in Support of Teligence and Madigan Defendants' Motion for Summary
5 Judgment that Claims 1, 2, 38 and 65 of the '768 Patent are Invalid Due
6 to "On Sale" Activity. (Ct. Rec. 213.) Attached to Defendants' summary
7 judgment reply is an appendix section that generally adheres with Local
8 Rule 56.1(c). After realizing that this appendix section does not
9 explicitly adhere with Local Rule 56.1(c), Defendants promptly filed a
10 Statement in Compliance with LR 56.1(c) (Ct. Rec. 223) that does.
11 Defendants ask the Court treat this statement, filed July 22, 2008, as
12 timely. Based on Defendants' representation that the late-filed
13 statement contains no new facts or arguments, the Court finds good cause
14 exists to treat the statement as timely.

15 Accordingly, **IT IS HEREBY ORDERED:** Defendants' Motion for Leave to
16 File Defendants' Statement in Compliance with LR 56.1(c) **(Ct. Rec. 222)**
17 is **GRANTED**. Defendants' Statement in Compliance with LR 56.1(c)
18 (Ct. Rec. 223), filed July 22, 2008, is **ACCEPTED**.

19 **IT IS SO ORDERED.** The District Court Executive is directed to enter
20 this Order and to provide copies to counsel.

21 **DATED** this 25th day of July 2008.

22
23 s/Edward F. Shea
24 EDWARD F. SHEA
United States District Judge

25 Q:\Civil\2007\59.LR56.1.wpd
26